

PLANNING COMMITTEE

Minutes of the meeting held on Wednesday 10 November 2010 in the Town Hall, Royal Leamington Spa at 6.00pm.

PRESENT: Councillor Illingworth (Chairman); Councillors Mrs Blacklock, Mrs Bunker, Copping, Crowther, Ms Dean, Dhillon, Mrs Higgins and Rhead.

An apology for absence was received from Councillor Kirton.

109. **DECLARATIONS OF INTEREST**

Minute Number – W10/0985 – Debden Hollow, Barford Road, Barford

Councillor Rhead declared a personal interest because the application site was in his Ward.

Minute Number – W10/0986 LB – Debden Hollow, Barford Road, Barford

Councillor Rhead declared a personal interest because the application site was in his Ward.

Minute Number – W10/1173 – 24 Cherry Lane, Hampton Magna, Warwick

Councillor Rhead declared a personal interest because the application site was in his Ward.

Minute Number – W10/1229 TC – Highway fronting 8 West Street, Warwick.

Councillor Dhillon declared a personal interest because the application site was in his Ward.

Councillor Mrs Higgins declared a personal and prejudicial interest because she had previously made objections to the application. She left the room whilst the item was discussed.

Minute Number – W10/1230 TC – Highway fronting 5 Old Square, Warwick.

Councillors Dhillon and Mrs Higgins declared personal interests because the application site was in their Ward.

110. **W10/1060 – 18 COVENTRY ROAD, BAGINTON**

This item was deferred at the discretion of the Chairman due to an administrative error regarding the list of Registered Speakers.

111. W10/1101 – 104 NORTHUMBERLAND ROAD, ROYAL LEAMINGTON SPA

The Committee considered an application from Mr Bhandal for the erection of a single storey rear extension to existing kitchen and conversion of existing garage to a bedroom / study with associated roof alterations. A two storey side extension to provide double garage at ground floor with master bedroom above.

The application was presented to the Committee because an objection had been received from Royal Leamington Spa Town Council.

The case officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Sustainable Buildings (Supplementary Planning Document - December 2008)

It was the case officer's opinion that the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site was located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

An addendum was circulated at the meeting which included Royal Leamington Spa Town Council's objection to the amended plans.

Mr Mackay addressed the committee on behalf of Warwick District Council's Conservation Area Advisory Forum and highlighted their objection. They felt strongly that the proposal would change the character of the Conservation Area and asked members to take into account the variety of architecture along this road.

Mr Viner addressed the Committee in support of the application, on behalf of Dr Bhandal. He stated that the architects had worked closely with officers and that materials had been altered to address the previous concerns of objectors.

Following consideration of the report, presentation, representations made and the information contained within the addendum, the Committee were of the opinion that the application be refused on the grounds that it was not in keeping with the Conservation Area and was contrary to policies DP1 and DAP9 of the local plan.

RESOLVED that application W10/1101 be REFUSED because the proposal includes an unacceptable two storey extension to the existing dwelling which fails to harmonise with its surroundings and will harm the character and appearance of the Conservation Area by reason of the loss of the undeveloped garden which presently forms an important open space separating No. 104 Northumberland Road from No. 102 Northumberland Road. The proposal would thereby be contrary to Policies DP1, DAP8 and DAP9 in the Warwick District Local Plan and Government Guidance in PPS5.

112. **W10/1134 – LAND FRONTING WELSH ROAD, OFFCHURCH, ROYAL LEAMINGTON SPA**

The Committee considered a retrospective application from Mr Blackwell for the positioning of two storage containers on land to store implements for field maintenance; the formation of driveway and hardstanding between and in front of the containers.

The application was presented to the Committee to request that the application be refused and enforcement action be taken to secure the removal of the storage containers and associated hardstanding within two months.

The case officer considered the following policies to be relevant:

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
Warwickshire Landscape Guidelines SPG
Planning Policy Guidance 2 : Green Belts

It was the case officer's opinion that the storage containers represented prominent and incongruous features that extend the built development of the site onto an area where there have previously been no buildings.

The containers and associated hardstanding detract from the rural character of the area. The development is therefore contrary to the provisions of PPG2, The Warwickshire Landscape Guidelines SPG and Policies DP1 and DP3 in the Warwick District Local Plan.

Mr Blackwell addressed the Committee in support of the application and apologised for failing to apply for permission for the containers. He advised members that he had experienced a number of thefts of machinery and stated that he would be willing to screen the containers if requested.

Members felt that although there were clear rules regarding planning permissions in the Green Belt, Mr Blackwell should be encouraged to enter into dialogue with officers to resolve the issues and that the two month enforcement period should be extended to ensure that these discussions were successful.

Following consideration of the report, presentation and representations made, the Committee were of the opinion that the application should be refused in accordance with the recommendation and agreed that enforcement action should be taken, with the compliance period to be extended to twelve months to allow for further discussions to take place between the applicant and officers.

RESOLVED that

- (1) application W10/1134 be REFUSED in accordance with the officers recommendation, for the following reasons:

The site is situated within the Green Belt and Planning Policy Guidance Note 2 states that within the Green Belt, the rural character of the area will be retained and protected. The District Planning Authority have also adopted Supplementary Planning Guidance entitled The Warwickshire Landscape Guidelines, Dunsmore, which states that new agricultural buildings should be sited, designed and landscaped to blend with the surrounding farmed landscape. Policy DP1 in the Warwick District Local Plan requires new development to relate well to local topography and landscape features whilst Policy DP3 requires new development to protect and enhance the landscape character of the area.

In the opinion of the District Planning Authority the storage containers represent prominent and incongruous features that extend the built development of the site onto an area where there have previously been no buildings.

The containers and associated hardstanding detract from the rural character of the area. The development is therefore contrary to the provisions of PPG2, The Warwickshire Landscape Guidelines SPG and Policies DP1 and DP3 in the Warwick District Local Plan; and

- (2) enforcement action be AUTHORISED to secure the removal of the storage containers and associated hardstanding within 12 months.

113. W10/1229 TC – HIGHWAY FRONTING 8 WEST STREET, WARWICK

The Committee considered an application from Openreach for the installation of an above ground jointing chamber.

The site formed part of the footway on West Street, Warwick opposite No.8 and between the main paved part and the kerb, in line with a lamp post

and a large tree. The whole street was located in the Conservation Area and the proposal was to erect a standard, green painted, broadband cabinet measuring 1.6m tall, 1.2m wide and 0.45, deep close to the kerb.

The application was presented to the Committee because an objection had been received from Warwick Town Council.

The case officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

SC9 - Telecommunications (Warwick District Local Plan 1996 - 2011)

It was the case officer's opinion that the position of the proposed cabinet would be in a very prominent position in the Conservation Area and would be seriously detrimental to the character of the area. The development was thereby considered to be contrary to the requirements of the aforementioned policy.

An addendum was circulated at the meeting which included the concerns of the Warwick Society and Openreach's comments to a suggested alternative location for the cabinet.

Mr Mackay addressed the Committee on behalf of the Warwick District Conservation Area Advisory Forum (CAAF). He distributed some pictures of similar chambers, following permission from the Chairman and highlighted the fact that the proposed chambers were a great deal larger than the older versions. He advised that alternative options were available and an underground chamber had not been ruled out on technical grounds. CAAF felt that the street scape should be enhanced not damaged.

Following consideration of the officer's report and presentation, and the information contained within the addendum, the Committee were of the opinion that the application should be refused in accordance with the officer's recommendation.

RESOLVED that application W10/1229 TC be refused for the following reasons:

Policy SC9 of the Warwick District Local Plan 1996-2011 states that development of all telecommunications equipment, as well as masts and antennae, by telecommunications and code systems operators will be permitted provided (inter alia) that every effort has been made to minimise the visual impact of the proposal and it has been demonstrated that alternative, less environmentally harmful means of providing the same service is not feasible. In the present case it is considered that the position of the proposed cabinet will be in a very prominent position in the Conservation Area and will be seriously detrimental to the character of the area. The

development is thereby considered to be contrary to the requirements of the aforementioned policy and in particular to Policy DAP8 in the Warwick District Local Plan and Government Guidance PPS5.

(Councillor Mrs Higgins left the room whilst the item was discussed)

114. **W10/1230 TC – HIGHWAY FRONTING 5 OLD SQUARE, WARWICK**

The Committee considered an application from Openreach for the installation of an above ground jointing chamber.

The site formed part of the highway and lay in front of a dense area of planting beside 5 Old Square, Warwick. There was an existing parking meter adjoining the site and the proposal was to erect a standard, green painted, broadband electronics cabinet which would measure 1.6m high, 1.2m wide and 0.45m deep.

The application was presented to the Committee because an objection had been received from Warwick Town Council.

The case officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
SC9 - Telecommunications (Warwick District Local Plan 1996 - 2011)

It was the case officer's opinion that the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site was located. The proposal was therefore considered to comply with the policies listed and would cause the least harm to the conservation area.

An addendum was circulated at the meeting which included the concerns of the Warwick Society, suggestions of alternative locations for the cabinet and the Society's request that the application be refused.

Mr Mackay addressed the committee on behalf of the Warwick District Conservation Area Advisory Forum (CAAF). He highlighted that the proposed site was not suitable and the view of St Mary's church would be altered. CAAF felt that an alternative site could be found, requested that the Committee refuse the application and that the authority enter into a greater dialogue with BT/Openreach. They also felt that the application contradicted policies DAP8, DAP4 and PPS5.

Following consideration of the officer's report and presentation, and the information contained within the addendum, the Committee were of the opinion that the application should be refused contrary to the officer's recommendation because it would be detrimental to the Conservation Area and was located close to a number of listed buildings.

RESOLVED that application W10/1230 TC be refused for the following reasons:

Policy SC9 of the Warwick District Local Plan 1996-2011 states that development of all telecommunications equipment, as well as masts and antennae, by telecommunications and code systems operators will be permitted provided (inter alia) that every effort has been made to minimise the visual impact of the proposal and it has been demonstrated that alternative, less environmentally harmful means of providing the same service is not feasible. In the present case it is considered that the position of the proposed cabinet will be in a very prominent position in the Conservation Area and will be seriously detrimental to the character of the area and to the setting of nearby listed buildings. The development is thereby considered to be contrary to the requirements of the aforementioned policy as well as policies DAP4 and DAP8 of the same Local Plan Planning Policy Statement 5: Planning for the Historic Environment.

115. **W10/0786 – 4 ASHFORD ROAD, WHITNASH**

The Committee considered an application from Mr H Panesar for the erection of a single and two storey side extension and a single storey rear extension.

The application was presented to the Committee because an objection had been received from Whitnash Town Council who felt that the proposal was overdevelopment of property. This was an amended version of the proposal granted by Members, subject to legal agreement on 2 September 2010. The applicant was requesting approval for an amended scheme, of reduced size, without it being subject to legal agreement.

The case officer considered the following policies to be relevant:

DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
The 45 Degree Guideline (Supplementary Planning Guidance)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

RESOLVED that application W10/0786 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.

REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

- (2) the development hereby permitted shall be carried out in accordance with the details shown on the approved drawing (drawing number 1710-02A), and specification contained therein, submitted on 11th October 2010 except as required by condition 4 below and unless first agreed otherwise in writing by the District Planning Authority. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **REASON**: To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011; and
- (4) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. A sample of the facing brick to be used for the construction of the development hereby permitted shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON**: To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

The Committee considered an application from Mr and Mrs Roper for the erection of a front infill extension to existing bungalow.

The application was presented to the Committee because an objection had been received from Budbrooke Parish Council who felt that the proposed extension would go beyond the building line.

The case officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Sustainable Buildings (Supplementary Planning Document - December 2008)
Planning Policy Statement 22 : Renewable Energy
Planning Policy Guidance 2 : Green Belts

It was the case officer's opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation the Committee were of the opinion that the application should be granted in accordance with the officers recommendations.

RESOLVED that application W10/1173 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 10/44-02, and specification contained therein, submitted on 8th September 2010 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (3) all external facing materials for the development hereby permitted shall be of the

same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

117. **W10/0978 – WELTON HOUSE, CHURCH ROAD, BUBBENHALL, ROYAL LEAMINGTON SPA**

The Committee considered an application from Mrs J Evans for the retention of an existing entrance wall and gates together with the re-facing of the existing wall with Ibstock Warwickshire Old English bricks.

The application was presented to the Committee because an objection had been received from Bubbenhall Parish Council who had concerns regarding the type of brick to be used. In addition, the previous retrospective application for the retention of the existing wall was refused by Planning Committee and authorisation was given for enforcement action to be taken requiring the wall to either be rendered or removed.

Some members of the Committee had previously visited the site but the newer members of the Committee had not had this advantage.

The case officer considered the following policies to be relevant:

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the development would not cause unacceptable harm to the architectural and historic character or appearance of the Conservation Area within which the site is located. Furthermore, the proposal would not adversely affect the amenity of nearby residents and the proposal was therefore considered to comply with the policies listed.

An addendum was circulated at the meeting which stated that contrary to the officers report, the brick type used for the wall and pillars at the Manor House, approved in 2007, was not known.

Members felt that considering the special circumstances, this solution was acceptable and would result in the walls blending in with the surrounding environment. A sample of the brick to be used to reface the wall was distributed at the meeting.

Members were mindful that the returns of the pillar would also need to be included in the refacing of the brickwork but that this could affect the operation of the gates. The officer present felt that this could be addressed in an additional condition.

Following consideration of the officer's report and presentation, the information contained within the addendum and the representations made the Committee was of the opinion that the application be granted in accordance with the officers recommendations with an additional condition to be added regarding the refacing of the pillars.

RESOLVED that application W10/0978 be GRANTED subject to the following conditions:

- (1) the development hereby approved shall be completed within 2 calendar months of the date of this decision. **REASON:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011; and
- (2) the side faces of the gate pillars, where the gates are hinged, are also faced with brickwork to ensure any visual differences are avoided.

118. **W10/0983 – 26 RAVENSDALE AVENUE, BEVERLEY HILLS, ROYAL LEAMINGTON SPA**

The Committee considered an application from Mr Dhesi for the erection of a two storey side extension, single storey rear extension, front porch extension and detached garage at rear of house.

The application was presented to the Committee because an objection had been received from Royal Leamington Spa Town Council who felt that the development was overly large in relation to the existing dwelling.

The case officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP8 - Parking (Warwick District Local Plan 1996 - 2011)
DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
Sustainable Buildings (Supplementary Planning Document - December 2008)

The case officer was of the opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

An addendum was circulated at the meeting which stated that Royal Leamington Spa Town Council had objected to the amended plans because there appeared to be no material alteration to the proposed development (as previously considered on 16 September 2010) and they felt it was still too large in relation to the existing dwelling.

Following consideration of the report and presentation, and the information contained in the addendum, the Committee were of the opinion that the application should be granted in accordance with the officers recommendations.

RESOLVED that application W10/0983 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 110-2B & 110-3B, and specification contained therein, submitted on 13th October 2010 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011; and
- (4) the development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

119. **W10/0985 – DEBDEN HOLLOW, BARFORD ROAD, BARFORD**

The Committee considered an application from Taylor Pressform Ltd for the erection of a two storey rear extension after demolition of a swimming pool and sun room and erection of a detached garage to front.

This application was taken in conjunction with the following item (W10/1060 LB) which dealt with the Listed Building aspects of the application. The officer highlighted that although he would present the two items together, Members needed to be mindful that they should be considered as two separate items.

The application was presented to the Committee because an objection had been received from Barford, Sherbourne and Wasperton Parish Council who felt that the design and appearance did not fit with the character of the dwelling and the locality and had concerns about the impact on the countryside.

The case officer considered the following policies to be relevant:

DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

Sustainable Buildings (Supplementary Planning Document - December 2008)

Residential Design Guide (Supplementary Planning Guidance - April 2008)

RAP2 - Extensions to Dwellings (Warwick District Local Plan 1996 - 2011)

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

PPS25 - Development and Flood Risk

The case officer was of the opinion that the proposed development did not adversely affect the historic integrity, character or setting of the listed building, was of an acceptable standard of design and detailing and preserved the character and appearance of the Conservation Area within which the property was situated. In addition, the development did not harm the general openness or rural character of the rural area within which the property was situated. The proposal was therefore considered to comply with the policies listed.

The Chairman expressed his disappointment that the Arboricultural Officer had not made comment on the application and the planning officer was in agreement with this, although it was noted that these had been requested.

Members felt that a renewable energy condition should be added for the new extension especially as the applicant had indicated a willingness to install them.

Following consideration of the report and presentation the Committee were of the opinion that the application be granted in accordance with the

officers recommendations with an additional condition to be added regarding renewable energy.

RESOLVED that application W10/0985 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (1086/4 and 1086/6 Rev.A received on 19 August 2010; 1086/5 Rev.A and 1086/8 received on 11 October 2010), and specification contained therein, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), glazed screens, eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011;
- (4) no work of any kind shall be begun on the site until the protective fence(s) around the trees identified as being retained on the approved plans, have been erected and the fencing has been confirmed in writing to be acceptable by the District Planning Authority. Within the approved fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked

or operated, no traffic over the root system, no changes to the soil level, no site huts, no fires lit and no excavation of trenches for drains, service runs or for any other reason. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011;

- (5) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details.

REASON : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011; and

- (6) The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on site, or in the locality, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. **REASONS** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

120. **W10/0986 LB – DEBDEN HOLLOW, BARFORD ROAD, BARFORD, WARWICK**

The Committee considered an application from Taylor Pressform Ltd for the demolition of a swimming pool, summer room and conservatory along with the construction of a two storey extension with living room on the ground floor and master bedroom suite on the first floor, and additional internal alterations.

This application was taken in conjunction with the previous item (W10/0985) which dealt with the proposed additions of the application. The officer highlighted that although he would present the two items together,

members needed to be mindful that they should be considered as two separate items.

The application was presented to the Committee because an objection had been received from Barford, Sherbourne and Wasperton Parish Council who felt that a new construction would compromise the setting of the listed building and that any improvements should be done in a sympathetic style.

The case officer considered the following policy to be relevant:

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the proposed development did not adversely affect the historic integrity, character or setting of the listed building and was of an acceptable standard of design and detailing. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W10/0986 LB be GRANTED subject to the following conditions:

- (1) the works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) (1086/4 and 1086/6 Rev.A received on 19 August 2010; 1086/5 Rev.A and 1086/8 received on 11 October 2010), and specification contained therein, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), glazed screens, eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) have been

submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011; and

- (4) samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.

121. **W10/1079 – 35 VERDUN CLOSE, WHITNASH**

The Committee considered an application from Mr O'Neill for the erection of a single storey front extension.

The application was presented to the Committee because an objection had been received from Whitnash Town Council who felt the proposal was detrimental to the street scene.

The case officer considered the following policies to be relevant:

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
Residential Design Guide (Supplementary Planning Guidance - April 2008)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

The case officer was of the opinion that the development respected surrounding buildings in terms of scale, height, form and massing and did not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation the Committee were of the opinion that the application should be granted in accordance with the officers recommendations.

RESOLVED that application W10/1079 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the

Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;

- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 1749-01, and specification contained therein, submitted on 18th August 2010 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011; and
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

122. **W10/1083 – LAND TO THE REAR OF THE REDDINGS, BAKERS LANE, KNOWL, SOLIHULL**

The Committee considered an application from Mr M Rogers for the provision of a manege for private use.

The application was presented to the Committee because an objection had been received from Lapworth Parish Council who felt that this was an inappropriate development of the green belt and was not attached to the dwelling.

The case officer considered the following policies to be relevant:

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
RAP13 - Directing New Outdoor Leisure and Recreation Development (Warwick District Local Plan 1996 - 2011)
Planning Policy Guidance 2 : Green Belts

It was the case officer's opinion that the development did not prejudice the openness and rural character of this green belt area and was considered to comply with the policies listed.

Following consideration of the report and presentation the Committee were of the opinion that the application should be granted in accordance with the officers recommendations.

RESOLVED that application W10/1158 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing nos. MR:BL:002m:PA and Riding Arena details, received 14th and 15th September 2010 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) no external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011 and PPG2: Green Belts; and
- (4) the manege hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall only be used for the private use of the owner. **REASON** : To protect the rural character of the area, in accordance with Planning Policy Statement 7 : Sustainable Development in Rural Areas and to satisfy Policy RAP10 of the Warwick District Local Plan 1996-2011.

123. **W10/1158 – LAND TO NORTH OR PACKWOOD FARM, PACKWOOD ROAD, LAPWORTH, SOLIHULL**

The Committee considered an application from Mr N Cribb for the construction of a horse manege comprising an all weather riding surface with 1.4m high perimeter fencing (renewal of extant permission W08/0266).

The application was presented to the Committee because an objection had been received from Lapworth Parish Council who felt that it was an

inappropriate development of the green belt and was not attached to a dwelling.

The case officer considered the following policies to be relevant:

DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
Planning Policy Guidance Note 2: Green Belts.

The case officer was of the opinion that the development did not prejudice the openness and rural character of this green belt area and was considered to comply with the policies listed.

Following consideration of the report and presentation the Committee were of the opinion that the application should be granted in accordance with the officers recommendations with an additional condition to be added that dealt with a restriction on the installation of external lighting and/or tannoy systems.

Members were concerned that Lapworth Parish Council were uncertain of the planning regulations regarding installing maneges in the countryside and Green Belt. They requested that the Chairman write to them to outline our guidelines for future reference.

RESOLVED that application W10/1158 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s), and specification contained therein, submitted on 25 February and 4 March 2008 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) details of a sustainable drainage system shall be submitted to and approved by the Local Planning Authority before any work is

commenced and the development shall be carried out and completed in accordance with the details so approved. **REASON:** To ensure the protection of the watercourse and conserve water in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011;

- (4) the manege hereby permitted shall only be used for purposes in connection with and incidental to the use of the land for grazing purposes and shall not be used for the purposes of a livery or riding school or any other commercial purposes. **REASON :** To protect the rural character of the area, in accordance with Planning Policy Statement 7 : Sustainable Development in Rural Areas and Planning Policy Guidance Note 2 : Green Belts and to satisfy Policy RAP10 of the Warwick District Local Plan 1996-2011; and
- (5) no external lighting or sound amplification or tannoy system shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON :** To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011 and PPG2: Green Belts.

The Chairman agreed to write to the Chairman of Lapworth Parish Council to advise of the planning regulations surrounding the installation of manege in the Green Belt and outlining the Council's guidelines for public speaking.

124. W10/1222 – 75 BRIDGE END, WARWICK

The Committee considered an application from Mrs S Rhodes for the erection of a rear kitchen extension and front porch.

The application was presented to the Committee because an objection had been received from Warwick Town Council who felt that the materials and design of the conservatory did not meet policy DAP8 and adversely affected the visual appearance of the Conservation Area.

The case officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

It was the case officer's opinion that the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site was located. Furthermore, the proposal would not adversely affect the amenity of nearby residents. The proposal was therefore considered to comply with the policies listed.

Following consideration of the officer's report and presentation the Committee were of the opinion that the application should be granted in accordance with the officer's recommendation.

RESOLVED that application W10/1222 be GRANTED subject to the following conditions:

- (1) the development hereby permitted must be begun not later than the expiration of three years from the date of this permission.
REASON : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004;
- (2) the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) AD03c and AD04c, and specification contained therein, submitted on 17th September unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011;
- (3) all external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011; and
- (4) the development hereby permitted shall not commence unless and until two weeks notice in writing of the start of the works shall have been given to the Warwickshire Museum as the nominated representative of the District Planning Authority. During the construction period the developer shall afford access at all reasonable times to representatives of the Museum and shall allow them to observe the excavations and record items of interest and finds. **REASON** : To ensure any items of

archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy DP4 of the Warwick District Council Local Plan 1996-2011.

125. **ENF 420/47/09 – QUARRY PARK, OLD MILVERTON LANE, OLD MILVERTON, ROYAL LEAMINGTON SPA**

The Committee considered a report requesting that enforcement action be authorised for the unauthorised use of land for open storage.

In October 2009 it was brought to the attention of the Enforcement Section that land at Quarry Park was being used for the external storage of bags of equipment in addition to authorised storage within the building at the site.

Contact was made with the land owners who had consistently maintained that the open storage was an authorised use by reason of the planning permission granted by application W03/0099 '*Change of use of agricultural storage building to class B8 storage of fall-arrest safety equipment*' supported by correspondence from the District Council in 2004 attached as Appendix 1 to the report.

The applicant visited the offices the day before the meeting (Tuesday 9th November 2010) and subsequently submitted a letter from his agent, Peter Frampton (attached as the addendum and circulated prior to the meeting). In light of this the officers requested that the item be deferred to allow them to enter into further dialogue with the applicant and his representatives.

The case officer considered the following policies to be relevant:

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
Planning Policy Guidance 2 : Green Belts

Following consideration of the report and presentation the Committee were of the opinion that the item should be deferred to allow for further discussion to take place between the site owner, applicant and planning officers.

RESOLVED that item ENF 420/47/09 be DEFERRED.

(The meeting finished at 9.35pm)